

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT  
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

**Directions:** Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

<b>Appeal No. &amp; Caption</b>	No. 24-2044; RNC et al. v. N.C. State Bd. of Elections et al.
<b>Originating No. &amp; Caption</b>	No. 5:24-cv-547; RNC et al. v. N.C. State Bd. of Elections et al.
<b>Originating Court/Agency</b>	U.S. District Court for the Eastern District of North Carolina

<b>Jurisdiction</b> (answer any that apply)		
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. §§ 1291, 1447(d)	
Time allowed for filing in Court of Appeals	Nov. 16, 2024, FRAP 4(a)(1)	
Date of entry of order or judgment appealed	Oct. 17, 2024	
Date notice of appeal or petition for review filed	Oct. 18, 2024	
If cross appeal, date first appeal filed	N/A	
Date of filing any post-judgment motion	N/A	
Date order entered disposing of any post-judgment motion	N/A	
Date of filing any motion to extend appeal period	N/A	
Time for filing appeal extended to	N/A	
Is appeal from final judgment or order?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable? The District Court's decision to decline supplemental jurisdiction is an appealable final judgment. Additionally, the District Court's conclusion that it lacked jurisdiction over Plaintiffs' state-constitutional claim under 28 U.S.C. 1443(2) is appealable under 28 U.S.C. 1447(d).		

<b>Settlement</b> (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)		
Is settlement being discussed?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

<b>Transcript</b> (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Has transcript been filed in district court?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

<b>Case Handling Requirements</b> (answer any that apply)		
Case number of any prior appeal in same case	N/A	
Case number of any pending appeal in same case	No. 24-2045	
Identification of any case pending in this Court or Supreme Court raising similar issue	N/A	
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	If yes, motion to expedite must be filed.	
Is oral argument necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.	

<b>Nature of Case</b> (Nature of case and disposition below. Attach additional page if necessary.)
<p>Plaintiffs RNC and NCGOP allege that Defendant N.C. State Board of Elections is violating a state statute requiring it to "update the statewide computerized voter registration list and database to meet the requirements of section 303(a) of the Help America Vote Act." N.C.G.S. § 163-82.11(c). Based on that alleged violation, Plaintiffs alleged a claim for mandamus and a claim for violation of Art. I, § 19 of the N.C. Constitution. The DNC intervened as a defendant.</p> <p>Because the claims necessarily turned on a substantial federal question and asked the State Board to take an act in conflict with a law concerning civil rights, the State Board removed to federal court. 28 U.S.C. §§ 1441(a), 1443(2). The State Board also moved to dismiss for failure to state a claim. FRCP 12(b)(6). Plaintiffs moved to remand the case to state court.</p> <p>The district court found that it had subject-matter jurisdiction over the mandamus claim and dismissed the claim with prejudice. The district court found it lacked jurisdiction over the state-constitutional claim and declined to exercise supplemental jurisdiction. The district court remanded the state-constitutional claim to state court but stayed remand until Oct. 22, 2024.</p> <p>The State Board Defendants and the DNC appeal the district court's final judgment.</p>

**Issues** (Non-binding statement of issues on appeal. Attach additional page if necessary)

1. Whether the district court erred by finding that it lacked subject-matter jurisdiction over Plaintiffs' state-constitutional claim.

2. Whether the district court erred by declining to exercise supplemental jurisdiction over Plaintiffs' state-constitutional claim.

**Adverse Parties** (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: Republican National Committee

Attorney: Phillip J. Strach

Address: Nelson Mullins Riley Scarborough LLP  
301 Hillsborough Street, Suite 1400  
Raleigh, NC 27603

E-mail: phil.strach@nelsonmullins.com

Phone: (919) 329-3800

Adverse Party: North Carolina Republican Party

Attorney: Phillip J. Strach

Address: Nelson Mullins Riley Scarborough LLP  
301 Hillsborough Street, Suite 1400  
Raleigh, NC 27603

E-mail: phil.strach@nelsonmullins.com

Phone: (919) 329-3800

**Adverse Parties (continued)**

Adverse Party:

Attorney:

Address:

E-mail:

Phone:

Adverse Party:

Attorney:

Address:

E-mail:

Phone:

Appellant (Attach additional page if necessary.)	
Name:  Attorney: Address:  E-mail:  Phone:	Name:  Attorney: Address:  E-mail:  Phone:
Appellant (continued)	
Name:  Attorney: Address:  E-mail:  Phone:	Name:  Attorney: Address:  E-mail:  Phone:
Signature: /s/ Sarah G. Boyce                      Date: 10/21/2024	
Counsel for: North Carolina State Board of Elections Defendants	
Certificate of Service (required for parties served outside CM/ECF): I certify that this document was served on _____ by <input type="checkbox"/> personal delivery; <input type="checkbox"/> mail; <input type="checkbox"/> third-party commercial carrier; or <input type="checkbox"/> email (with written consent) on the following persons at the addresses or email addresses shown:	
Signature:	Date: